## **COMMITTEE AMENDMENT FORM**

DATE: <u>06/27/ 06</u>

COMMITTEE <u>CITY UTILITIES</u> PAGE NUM. (S) /

ORDINANCE I. D. #06-O- SECTION (S)

RESOLUTION I. D. #06-R-1375 PARA. 2<sup>ND</sup> WHEREAS

AMENDS THE LEGISLATION BY DELETING \$100,000.00 IN THE  $2^{ND}$  WHEREAS AND REPLACING IT WITH \$200,000.00

AMENDMENT DONE BY COUNCIL STAFF 6/27/06

#### AN AMENDED RESOLUTION

#### BY CITY UTILITIES COMMITTEE

AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT AGREEMENT NO. 9 FOR FC-6005007880, THE TECHNICAL ASSISTANCE AGREEMENT REGARDING WATER SUPPLY BETWEEN THE CITY OF ATLANTA, COBB COUNTY-MARIETTA WATER AUTHORITY, DEKALB COUNTY AND THE ATLANTA- FULTON COUNTY WATER RESOURCES COMMISSION (COLLECTIVELY "PARTICIPANTS"), AND THE ATLANTA REGIONAL COMMISSION ("ARC") TO FUND WORK IN FURTHERANCE OF THE REGIONAL TECHNICAL EFFORTS RELATED TO WATER SUPPLY ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBERS: 2J01 (WATER & WASTEWATER REVENUE FUND) 524001 (CONSULTANT/PROF. SERVICES) Q11101 (OFFICE OF COMMISSIONER) (\$200,000.00) AND 2J01 (WATER & WASTEWATER REVENUE FUND) 524001 (CONSULTANT/PROF. SERVICES) Q69001 (NORTH AREA TREATMENT PLANT) (\$100,000.00); AND FOR OTHER PURPOSES.

WHEREAS, the Participants entered into an agreement with ARC on May 20, 1992 for certain professional services for the Participants; and

WHEREAS, the Participants agreed to compensate ARC for the performance of such services in an amount not to exceed Two Hundred Thousand Dollars and No Cents (\$200,000.00) each; and

WHEREAS, the parties have previously amended the Agreement, most recently approved by Resolution 06-R-0056, adopted by City Council January 17, 2006 and approved by the Mayor on January 24, 2006, which expires on December 31, 2006; and

WHEREAS, additional funds are needed to provide analysis of technical responses to the various scenarios presented during the course of the tri-state negotiations in accordance with the Agreement; and

WHEREAS, the Commissioner of the Department of Watershed Management and the Chief Procurement Officer recommend the execution of Amendment Agreement No. 9.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HERBY RESOLVES, that the Mayor is authorized to execute Amendment Agreement No. 9 between the City of Atlanta, Cobb County-Marietta Water Authority, DeKalb County and the Atlanta-Fulton County Water Resources Commission and the Atlanta Regional Commission and in an amount not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00).

**BE IT FURTHER RESOLVED,** that the City's share of such payments would be Two Hundred Thousand Dollars and No Cents (\$200,000.00) for the City, and One Hundred Thousand Dollars and No Cents (\$100,000.00) for the City's portion of the Atlanta-Fulton County Water Resources Commission, for a total not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00).

**BE IT FURTHER RESOLVED,** that amendment Agreement No. 9 extends the term of the Agreement for one (1) year as authorized in amendment Agreement No. 8.

**BE IT FURTHER RESOLVED,** that the City Attorney is directed to prepare an appropriate Agreement for execution by the Mayor.

**BE IT FURTHER RESOLVED,** that the Agreement will not become binding on the City and the City will incur no obligation nor liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to ARC.

AND FINALLY BE IT RESOLVED, that all contracted work will be charged to and paid from Fund, Account and Center Numbers: 2J01 (Water & Wastewater Revenue Fund) 524001 (Consultant/Prof. Services) Q11101 (Office of Commissioner) (\$200,000.00) and 2J01 (Water & Wastewater Revenue Fund) 524001 (Consultant/Prof. Services) Q69001 (North Area Treatment Plant) (\$100,000.00).

#### A RESOLUTION BY CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AMENDMENT AGREEMENT NO. 9 FOR FC-6005007880, THE TECHNICAL ASSISTANCE AGREEMENT REGARDING WATER SUPPLY BETWEEN THE CITY OF ATLANTA, COBB COUNTY-MARIETTA WATER AUTHORITY, DEKALB COUNTY AND THE ATLANTA- FULTON COUNTY WATER RESOURCES COMMISSION (COLLECTIVELY "PARTICIPANTS"), AND THE ATLANTA REGIONAL COMMISSION ("ARC") TO FUND WORK IN FURTHERANCE OF THE REGIONAL TECHNICAL EFFORTS RELATED TO WATER SUPPLY ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT IN AN AMOUNT NOT TO EXCEED THREE HUNDRED THOUSAND DOLLARS AND NO CENTS (\$300,000.00); ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBERS: 2J01 (WATER & WASTEWATER REVENUE FUND) 524001 (CONSULTANT/PROF. SERVICES) Q11101 (OFFICE OF COMMISSIONER) (\$200,000.00) AND 2J01 (WATER & WASTEWATER REVENUE FUND) 524001 (CONSULTANT/PROF. SERVICES) O69001 (NORTH AREA TREATMENT PLANT) (\$100,000.00); AND FOR OTHER PURPOSES.

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WHEREAS, additional funds are needed to provide analysis of technical responses to the various scenarios presented during the course of the tri-state negotiations in accordance with the Agreement; and

WHEREAS, the Commissioner of the Department of Watershed Management and the Chief Procurement Officer recommend the execution of Amendment Agreement No. 9.

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**BE IT FURTHER RESOLVED,** that the City's share of such payments would be Two Hundred Thousand Dollars and No Cents (\$200,000.00) for the City, and One Hundred Thousand Dollars and No Cents (\$100,000.00) for the City's portion of the Atlanta-Fulton County Water Resources Commission, for a total not to exceed Three Hundred Thousand Dollars and No Cents (\$300,000.00).

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**BE IT FURTHER RESOLVED,** that the Agreement will not become binding on the City and the City will incur no obligation nor liability under it until it has been executed by the Mayor, attested to by the Municipal Clerk, approved as to form by the City Attorney and delivered to ARC.

**BE IT FINALLY RESOLVED,** that all contracted work will be charged to and paid from Fund, Account and Center Numbers: 2J01 (Water & Wastewater Revenue Fund) 524001 (Consultant/Prof. Services) Q11101 (Office of Commissioner) (\$200,000.00) and 2J01 (Water & Wastewater Revenue Fund) 524001 (Consultant/Prof. Services) Q69001 (North Area Treatment Plant) (\$100,000.00).



#### CITY OF ATLANTA DEPT. OF PROCUREMENT

2006 MAY 30 PH 2 57

SHIRLEY FRANKLIN MAYOR

# CITYOFATLANTA

DEPARTMENT OF WATERSHED MANAGEMENT

55 TRINITY AVENUE, SUITE 5400, SOUTH BUILDING ATLANTA, GEORGIA 30303-0310 OFFICE 404 330-6081 FAX 404-658-7194

ROBERT J. HUNTER
COMMISSIONER

May 30, 2006

TO:

Adam L. Smith, Chief Procurement Officer

Department of Procurement

FROM:

Robert Hunter, Commissioner

Department of Watershed Management

RE:

NINTH (9<sup>TH</sup>) AMENDMENT TO ARC TECHNICAL ASSISTANCE

AGREEMENT - FC-6005007880

CONTRACTOR: ATLANTA REGIONAL COMMISSION

The Department of Watershed Management has requested the Department of Law to prepare the appropriate legislation (Cycle 13) for the above reference project. We anticipate services in an amount not to exceed \$300,000.00.

Please find attached Requisition No. Q1116001. The cost shall be charged to Fund, Account and Centers 2J01-524001-Q11101 in the amount of \$200,000.00 and 2J01-524001-Q69001 in the amount of \$100,000.00.

If you have any questions concerning this matter, please feel free to contact Toni Darden, Contracting Officer, at (404) 330-6812.

Your assistance in this matter is appreciated.

RJH:SDW/td

c:

Sheila Pierce, DWM Sally Mills, DWM Samuel Goodson, DWM Sabrina Watts, DWM Toni Darden, DWM File

City of Atlanta	
epartment of	Procurement

## **REQUISITION**

OTY OF ATLANTA DEPT OF PROCUPEMENT REQUISITION NUMBER mme mQ151-160015 = 7

BUY ENTITY	CONT	

608 REQUESTER ID

134 SHIP TO CODE

2J01 FAC FUND

524001 ACCOUNT **MULTIPLE** CENTER

5/29/2006 DATE NEEDED ESTIMATED AMOUNT QTY UOM UNIT PRICE DESCRIPTION LINE # ITEM NUMBER \$ NINTH AMENDMENT TO ARC 1 9614500 TECHNICAL ASSISTANCE AGREEMT Q11101 \$ 200,000.00 2J01 524001 1 200,000.00 Q69001 524001 2J01 100,000.00 \$ 100,000.00 1 \$ \$ \$ \$ \$ 300,000.00 TOTAL

SUGGESTED VENDOR	STED VENDOR Atlanta Regional Commission VENDOR NUMBER		VENDOR NUMBER	A7025	
DEPARTMENT	Watershed Manager	Watershed Management BUREAU Envi		ron. Compliance	www.
CONTACT PERSON	Sabrina D. Watts	TID	DATE COMPLETED	5/29/2006	PHONE # (404) 330-6955
The undersided certifie	s that fupes are available at the budget	adoption level for all items.	- P		
	RANTO	Whenter 3	DATE S	-30-06	Computer Equipment
AUTHORIZED SIGNATUR DOP USE ONLY	BUYER ID	FINANCE USE ONLY	DIT USE ONLY		Approve Disapprove
REQ. ENTERED BY	SIGNATURE	FAC APPROVAL			
3	<b>0.2</b> /	SIGNATURE		SIGNAT	URE
	DATE	DATE		DAŢE	

VENDOR NUMBER A7025

DOP003-04

# NINTH AMENDMENT TO TECHNICAL ASSISTANCE AGREEMENT REGARDING WATER SUPPLY

**THIS AGREEMENT**, effective as of this 1<sup>st</sup> day of July, 2006 by and between the CITY OF ATLANTA, COBB COUNTY-MARIETTA WATER AUTHORITY, DEKALB COUNTY, and the ATLANTA-FULTON COUNTY WATER RESOURCES COMMISSION, (hereinafter referred to as the "Participants"), and ATLANTA REGIONAL COMMISSION (hereinafter referred to as "ARC").

#### WITNESSETH THAT:

WHEREAS, the Participants did enter into an agreement with ARC, dated May 20, 1992, in which the ARC agreed to perform certain professional services for the Participants and the Participants agreed to compensate ARC for the performance of such services in the amount of \$100,000 each, all as more fully set forth in said agreement; and

**WHEREAS**, the parties hereto have previously amended said contract as of May 20, 1996, April 5, 1999, November 13, 2000, November 26, 2001, December 10, 2002, December 31, 2003, December 31, 2004, and August 1, 2005; and

WHEREAS, the parties wish to further amend said contract increasing the compensation an additional \$200,000 each as set forth herein below.

**NOW**, therefore and in consideration of the mutual benefits to the parties, the parties agree that said contract is hereby amended as follows;

The first sentence of Item 5, Monetary Contributions by Participants, is hereby revised to read: "Each of the Participants agrees to contribute an additional \$200,000 with this ninth amendment which reflects a cumulative total participation of One Million Two Hundred Thousand Dollars (\$1,200,000) each."

The parties hereto understand and agree that this amendment may be executed in counterparts.

Except as specifically modified hereinabove, the remainder of said agreement shall remain in full force and effect.

Regarding Water Supply
Amendment # 9

IN WITNESS WHEREOF, the Participants and ARC hereunto agree effective as of the date above written.

Counterpart 1 of 5 to Ninth Amendment to Technical Services Agreement regarding water supply.

Atlanta Regional Commission

Director

Chair

Technical Assistance Agreement

Attested, Assistant Secretary

Counterpart 2 of 5 to Ninth Amendment to Technical Services Agreement regarding water supply.

	City of Atlanta
Approved as to Form:	Shirley Franklin, Mayor
City Attorney	Attested Municipal Clark
	Municipal Clerk  Recommended:
	Watershed Management Commissioner

Counterpart 3 of 5 to Ninth Amendment to Technical Services Agreement regarding water supply.

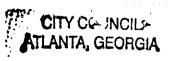
Cobb County - Marietta	Water Authority
Scott C. Craddock, Chairr	nan
Attested	ruman de la compensa

Counterpart 4 of 5 to Ninth Amendment to Technical Services Agreement regarding water supply.

	DeKalb County
	Vernon Jones Chief Executive Officer
	DeKalb County, Georgia
Approved as to Form:	ATTESTED:
County Attorney	Ex Officio Clerk of the Chief Executive Officer and Board of Commissioners of DeKalb County, Georgia

Counterpart 5 of 5 to Ninth Amendment to Technical Services Agreement regarding water supply.

	Atlanta-Fulton County Water Resources Commission				
	Clair Muller, Chairman				
Approved as to Form:	ATTEST:				
City Attorney					
Approved as to Content:	ATTEST:				
Mike Leonard, General Manager	Notary Public (Seal)				
	My Commission Expires				



# A RESOLUTION BY CITY UTILITIES COMMITTEE

06- € -0056

A RESOLUTION AUTHORIZING THE MAYOR OR DESIGNEE TO EXECUTE AMENDMENT AGREEMENT NO.8 FOR FC-6005007880 THE TECHNICAL ASSISTANCE AGREEMENT REGARDING WATER SUPPLY BETWEEN THE ATLANTA REGIONAL COMMISSION ("ARC") AND THE CITY OF ATLANTA, COBB COUNTY-MARIETTA WATER AUTHORITY, DEKALB COUNTY AND THE FULTON COUNTY WATER RESOURCES COMMISSION (ALL ARE HEREINAFTER REFERRED TO AS "OTHER PARTIES"); IN ORDER TO FUND WORK IN FURTHERANCE OF THE REGIONAL TECHNICAL EFFORTS RELATED TO WATER SUPPLY ON BEHALF OF THE DEPARTMENT OF WATERSHED MANAGEMENT IN THE AMOUNT OF THREE HUNDRED THOUSAND DOLLARS (\$300,000.00) ALL CONTRACTED WORK SHALL BE CHARGED TO AND PAID FROM FUND, ACCOUNT AND CENTER NUMBERS: 2J01(WATER & WASTEWATER REVENUE FUN) 524001(CONSULTANT/PROF. SERVICES) Q11101 (OFFICE OF COMMISSIONER ) (\$200,000.00) AND 2J01(WATER & WASTEWATER REVENUE FUN) 524001(CONSULTANT/PROF. SERVICES) Q69001(NORTH AREA TREATMENT PLANT) (\$ 100,000.00).

WHEREAS, the Participants did enter into an agreement with ARC, dated May 20, 1992, in which the ARC agreed to perform certain professional services for the Participants and the Participants agreed to compensate ARC for the performance of such services in the amount of \$100,000.00 each, all as more fully set forth in said agreement; and

WHEREAS, the parties hereto have previously amended said agreement as of May 20, 1996, April 5, 1999, November 13, 2000, November 26, 2001, December 10, 2002, and August 16,2004; and most recently December 31, 2004; and

WHEREAS, additional funds are needed to provide analysis of technical responses to the various scenarios presented during the course of the tri-state negotiations in accordance with Agreement: and

WHEREAS, the Commissioner of the Department of Watershed Management and the Chief Procurement Officer have recommended that Amendment Agreement No.8 be executed.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, that the Mayor be and is hereby authorized to enter into an Amendment Agreement No.8 with the Atlanta Regional Commission and "Other Parties" in amount not to exceed Three Hundred Thousand Dollars (\$300,000.00).

**BE IT FURTHER RESOLVED**, that the City's share of such payments would be \$200,000.00 on behalf of the City and \$100,000.00 on behalf of the City's portion of the Atlanta-Fulton County Water Resources Commission for a total of not to exceed an amount of Three Hundred Thousand Dollars (\$300,000.00).

**BE IT FURTHER RESOLVED**, that Amendment Agreement No.8 extends the term of the Agreement, as authorized in Amendment Agreement No.7 by one (1) year.

**BE IT FURTHER RESOLVED**, that the Chief Procurement Officer be and is hereby directed to prepare an appropriate Intergovernmental Agreement for execution by the Mayor to be approved by the City Attorney as to form.



BE IT FURTHER RESOLVED, that this Intergovernmental Agreement shall not become binding on the City, and the City shall incur no liability upon same until such contract has been executed by the Mayor and delivered to the contracting party.

BE IT FINALLY RESOLVED, that all services for said contracted work shall be charged to and paid from fund account and center number: 2J01(WATER & WASTEWATER REVENUE FUN) 524001(CONSULTANT/PROF. SERVICES) Q11101 (OFFICE OF COMMISSIONER) (\$200,000.00) AND 2J01(WATER & WASTEWATER REVENUE FUN) 524001(CONSULTANT/PROF. SERVICES) Q69001(NORTH AREA TREATMENT PLANT) (\$100,000.00).

A true copy,

ADOPTED by the Council APPROVED by the Mayor

Municipal Clerk, CMC

Jan 17, 2006 Jan 24, 2006

RCS# 9 1/17/06 1:52 PM

#### Atlanta City Council

#### REGULAR SESSION

CONSENT I PG(S)4-26 EXCEPT 06-0-0201 06-0-0190 ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2

EXCUSED: 0
ABSENT 1

NV SmithY ArchibongY MooreY MitchellY HallY FauverY MartinY NorwoodY YoungY ShookY MaddoxB WillisY WinslowY MullerY SheperdNV Borders

		01-17-06 Council Meeting
ITEMS ADOPTED	ITEMS ADOPTED	ITEMS ADVERSED
ON CONSENT	ON CONSENT	ON CONSENT
1. 06-O-0195	44. 06-R-0212	85. 06-R-0108
2. 06-O-0198	45. 06-R-0068	86. 06-R-0109
3. 06-O-0199	46. 06-R-0069	87. 06-R-0110
4. 06-O-0179	47. 06-R-0070	88. 06-R-0111
5. 06-O-0206	48. 06-R-0071	89. 06-R-0112
6. 06-O-0197	49. 06-R-0072	90. 06-R-0113
7. 06-O-0191	50. 06-R-0073	91. 06-R-0114
8. 06-O-0192	51. 06-R-0074	92. 06-R-0115
9. 06-O-0193	52. 06-R-0075	93. 06-R-0116
10. 06-O-0196	53. 06-R-0076	94. 06-R-0117
11. 06-O-0200	54. 06-R-0077	95. 06-R-0118
12. 06-O-0202	55. 06-R-0078	96. 06-R-0119
13. 06-R-0052	56. 06-R-0079	97. 06-R-0120
14. 06-R-0053	57. 06-R-0080	98. 06-R-0121
15. 06-R-0054	58. 06-R-0081	99. 06-R-0122
16. 06-R-0055	59. 06-R-0082	100. 06-R-0123
17. 06-R-0056	60. 06-R-0083	101. 06-R-0124
18. 06-R-0057	61. 06-R-0084	102. 06-R-0125
19. 06-R-0058	62. 06-R-0085	103. 06-R-0126
20. 06-R-0059	ITEMS ADVERSED ON	104. 06-R-0127
21. 06-R-0060	CONSENT	105. 06-R-0128
22. 06-R-0163	63. 06-R-0086	106. 06-R-0129
23. 06-R-0168	64. 06-R-0087	107. 06-R-0130
24. 06-R-0169	65. 06-R-0088	108. 06-R-0131
25. 06-R-0209	66. 06-R-0089	109. 06-R-0132
26. 06-R-0210	67. 06-R-0090	110. 06-R-0133
27. 06-R-0211	68. 06-R-0091	111. 06-R-0134
28. 06-R-0170	69. 06-R-0092	112. 06-R-0135
29. 06-R-0062	70. 06-R-0093	
30. 06-R-0063	71. 06-R-0094	
31. 06-R-0064	72. 06-R-0095	
32. 06-R-0172	73. 06-R-0096	
33. 06-R-0050	74. 06-R-0097	
34, 06-R-0051	75. 06-R-0098	
35. 06-R-0161	76. 06-R-0099	,
36. 06-R-0162	77. 06-R-0100	The state of the s
37. 06-R-0178	78. 06-R-0101	
38. 06-R-0065	79. 06-R-0102	
39. 06-R-0066	80. 06-R-0103	
40. 06-R-0067	81. 06-R-0104	**************************************
41. 06-R-0173	82. 06-R-0105	
42. 06-R-0175	83. 06-R-0106	
43. 06-R-0176	84. 06-R-0107	

# (Do **126m)** (Ab**120056** Line)

Committee Date Chair

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0 3rd

Consent

Readings

DI AC Vote

# CITY UTILITIES COMMITTEE A RESOLUTION BY

524001(CONSULTANT/PROF. SERVICES ) Q690 Q11101 (OFFICE OF COMMISSIONER) (\$200,00 AND CENTER NUMBERS: 2J01(WATER & WAS REVENUE FUN) 524001(CONSULTANT/PROF. S BE CHARGED TO AND PAID FROM FUND, THE AMOUNT OF THREE HUNDRED T EFFORTS RELATED TO WATER SUPPLY ON B COMMISSION (ALL, ARE HEREINAFTER REFE MARIETTA WATER AUTHORITY, DEKALB A RESOLUTION AUTHORIZING THE MADESIGNEE TO EXECUTE AMENDMENT AG AREA TREATMENT PLANT) (\$ 100,000.00) DOLLARS'(\$300,000.00) ALL CONTRACTED WO THE DEPARTMENT OF WATERSHED MANAGI FURTHERANCE OF AS "OTHER PARTIES"); IN ORDER TO FUND AND THE FULTON COUNTY WATER RE ("ARC") AND THE CITY OF ATLANTA, COBB BETWEEN THE ATLANTA REGIONAL COI ASSISTANCE AGREEMENT REGARDING WATE FC-6005007880 WASTEWATER REVENU THE REGIONAL TH

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Committee		Refer To	The mind	On Muller	Cintie milli	14 my Shulx	Members // ()	Action Fav. Adv. Hold (see rev. side) Other		Date 2R	Composities L	Referred to
Committee		Refer To					Members	Action Fav, Adv, Hold (see rev. s Other	Chair	Date	Committee	

		. side)				
	Members	Action Fav, Adv, Hold (see rev. side) Other	Chair	Date	Committee	Heler 10

Fav, Adv, Hold (see rev Other

Action

Chair Date

ADOPTED BY

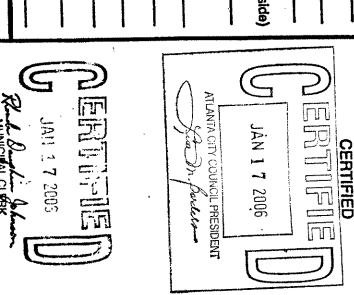
Members

COLNCI

Refer To

Refer To

MAYOR



MAYOR'S ACTION

#### TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE	ATTN: GREG PRIDGEON
Legislative Counsel (Signature): _Megan S. Middleton_	Megan & Middleton
Contact Number: 6207	
Originating Department: _Department of Watershed M	Ianagement
Committee(s) of Purview:City Utilities	And Annual
Council Deadline:_June 12, 2006	
Committee Meeting Date(s): _June 27,2006 Full C  Commissioner Signature	
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FINANCIAL IMPACT (if any) \$300,000.00	
Mayor's Staff Only	
Received by Mayor's Office: 6/15/06 Review	ewed by:
Submitted to Council: (date)	